

DISCUSSION OF THE AMENDMENT

Claims 8 and 14 have been amended by incorporating the subject matter of Claims 13 and 18 therein, respectively; by inserting a step for taking the TiAl based alloy material out of a furnace, as supported in the specification at, for example, page 29, line 14 to page 30, line 7; and by clarifying that the “subjecting” step begins, in effect, at the temperature in the equilibrium temperature range. Claims 13 and 18 have been canceled.

No new matter is believed to have been added by the amendment. Claims 8-12 and 14-17 are now pending in the application.

REMARKS

The rejection of claims 8-13 under 35 U.S.C. § 103(a) as unpatentable over JP 2000-199025A (JP '025) in view of US 5,348,702 (Matsuo et al), is respectfully traversed.

In response to Applicants' submission of a certified English translation of the priority application JP 2000-046540, filed on February 23, 2000, which antedates the July 18, 2000 publication date of JP '025, the Examiner finds that Applicants have not provided "mapping" showing where in JP '025 the present claims are supported.

In reply, and in reference to the certified English translation, Claim 8 is supported at [0021] combined with [0023]. Claims 9-11 are supported at Claims 10-12, respectively. Claim 12 is supported at [0026]. Claim 13 is supported at [0025]. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 8-18 under 35 U.S.C. § 103(a) as unpatentable over US 5,348,702 (Masahashi et al), is respectfully traversed. The Examiner appears to find that the forging in vacuum or non-oxidizing atmosphere with cooling rate greater than or equal to 10K/min disclosed by Masahashi et al (column 6, line 38ff) meets the terms of the present high-speed plastic working step.

In reply, Masahashi et al also discloses, with regard to the above disclosure, that "[i]n this transformation heat treatment, the temperature and time are important, **but the cooling rate is not significant** (column 6, lines 53-55; emphasis added). While the presently-recited cooling speed is necessarily greater than 10K/min, nevertheless, no example in Masahashi et al has a cooling speed greater than 10K/min and, since cooling speed is not significant, there is no motivation to increase the cooling speed beyond 10K/min, as such would necessarily involve greater cost with no concomitant benefit.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Applicants respectfully call the Examiner's attention to the lining out of document "AS" on the initialed Form PTO 1449 attached to the Office Action mailed October 19, 2005. The Information Disclosure Statement (IDS) filed with the uninitialed Form was for purposes of making of record documents filed and considered by the Examiner in parent application No. 09/780,540, now US 6,669,791 (parent patent). The face page of the parent patent indicates document AS, i.e., JP62-000215, was considered. Accordingly, **submitted herewith** is another copy of said uninitialed Form. The Examiner is respectfully requested to initial the Form, and include a copy thereof with the next Office communication.

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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